

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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SCOTT POWERS,	:	
	:	20 Civ. 2625 (LGS)
Plaintiff,	:	
	:	
-against-	:	<u>ORDER</u>
	:	
MEMORIAL SLOAN KETTERING CANCER	:	
CENTER, et al.,	:	
Defendants.	X	

LORNA G. SCHOFIELD, District Judge:

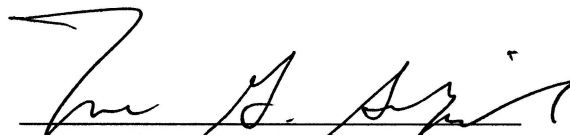
WHEREAS, on November 21, 2022, Defendants filed a letter motion seeking leave to file a motion to deem certain pathology slides and photographs authenticated under Fed. Rule of Evidence 901. An Order issued on November 22, 2022, directed Plaintiff to file a response stating any objection to finding the referenced materials authenticated, provided Defendants filed affidavits regarding the authenticity of the slides. On November 29, 2022, Plaintiff filed a letter arguing that Defendants should have elicited authenticating testimony regarding these materials before discovery closed.

WHEREAS, Plaintiff's arguments are unpersuasive. Plaintiff's letter does not articulate a basis for doubting the authenticity of the referenced materials, save a general statement of ignorance regarding the creation of the material. It is hereby

ORDERED that by **December 9, 2022**, Defendants shall submit affidavits regarding the preparation of the referenced materials, the chain of custody, and any other information necessary to deem the materials authenticated. *See* Fed. R. of Evid. 901(b).

It is the Court's practice to rule on the admissibility of exhibits to the extent possible prior to trial.

Dated: December 1, 2022
New York, New York


LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE